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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/480,747	01/10/2000	MITCHELL REID	SILA:054	4684

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EXAMINER

MUNOZ, GUILLERMO

ART UNIT	PAPER NUMBER
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2634

18

DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/480,747

Applicant(s)

REID ET AL.

Examiner

Guillermo Munoz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on filed December 29, 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5 and 23-46 is/are allowed.
- 6) ☒ Claim(s) 6,9,10,18 and 19 is/are rejected.
- 7) ☒ Claim(s) 7,8,11-17 and 20-22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Terminal Disclaimer***

The terminal disclaimer filed on December 29, 2003 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of any patent granted on Application Number 09/480,058 has been reviewed and is accepted. The terminal disclaimer has been recorded.

### ***Response to Arguments***

In view of applicant's Terminal Disclaimer, see application paper number 17, filed December 29, the obvious double patenting rejection of claims 1-4, 6-9, 18, 23-25, 30, and 36-39 and the objection of claims 5,10-17, 19-22, 26-29, 31-35, and 40-46 are withdrawn.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 6, 9, 10, 18, and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Blair et al.

Regarding claim 6, Blair et al. disclose a HDLC Asynchronous To Synchronous Converter which teaches all the claimed subject matter "providing data formatted...in an

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asynchronous manner” in claim 6 as follows: providing data formatted with a synchronous modem transmission protocol is anticipated by the synchronous application programs in Col. 4, line 13; an asynchronous serial pin of a modem circuit is anticipated by element 76 of figure 4 and Col. 7, lines 59-60; using the asynchronous serial pin to transfer the data (formatted with the synchronous modem transmission protocol) is anticipated by the synchronous applications to be transmitted through the asynchronous port in Col. 4, lines 18-19; between the modem circuit and an external circuit (through the asynchronous serial pin in an asynchronous manner) is anticipated by the synchronous workstations in Col. 4, line 14.

Regarding claim 9, Blair et al. further teach the claimed subject matter “transferring... from the modem circuitry to the external circuit” in figure 4, note the bi-directional arrows.

Regarding claim 10, Blair et al. further teach the claimed subject matter “indicating... transmission protocol information”, note transparency modifications in Col. 2, lines 42-43.

Regarding claim 18, see claim 9.

Regarding claim 19, see claim 10.

### ***Claim Objections***

Claims 7, 8, 11-17, and 20-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance:

Claims 1-5, and 23-46 are considered allowable because none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claims including an integrated modem and line-isolation circuit being configured so that data formatted with a synchronous modem transmission protocol can be transferred through the asynchronous serial communication interface port. The closest prior art, Kanekawa et al., (US Patent Number 6,389,063/ cited in office paper number 8) shows a similar circuit including an integrated modem and line-isolation circuit. However, Kanekawa et al. fails to teach circuitry included within the integrated circuit configured so that it transfers data formatted with a synchronous modem transmission protocol through an asynchronous serial communication interface port. This distinct features has been included in independent claims 1, 23, 30, and 37 rendering them allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guillermo Munoz whose telephone number is 703-305-4224.

The examiner can normally be reached on Monday-Friday 8:30a.m-4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 703-305-4714. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



GM  
March 22, 2004

  
**STEPHEN CHIN**  
**SUPERVISORY PATENT EXAMINER**  
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